

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
Tribal Court Room  
7500 Odawa Circle Harbor Springs, MI 49740  
November 21, 2010

Closed Session: yes

Call to Order: Meeting was called to order at: 9:05 a.m.

Opening Ceremony: Melvin L. Kiogima

Physical Council Present: Legislative Leader Julie Shananaquet, Secretary Regina Gasco Bentley, Councilor Belinda Bardwell, Councilor Aaron Otto, Councilor Melvin L. Kiogima, Councilor Rita Shananaquet, Councilor Marvin Mulholland

Absent: Councilor Gerald V. Chingwa, Treasurer John Bott

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Ken Harrington, Vice-Chairman Dexter McNamara, General Counsel James Bransky, Gaming Board of Directors: Secretary/Treasurer Sheran Patton, Casino: General Manager David Wolf, Director of Human Resource Melissa Richards, Director of Finance Roger Borton, Facility Operations Manager Barry Laughlin, Director of Marketing Phil Gonzales, Director of Table Games Susan Foster, Director of Hospitality Mike Bodjiak, Director of Slots Frank Kirsch

Guests: Bill Denemy, Sr., Bea Law, Marcia Sutton, Carla Steingold, Andrew Stich, Bernadece Kiogima, Howard Martel, Joe Lucier, Carol Kiogima, Rick Norberg, Jane Martel, Jeanie Norris, Starr Behrens, Melissa Massey, Eva Oldman, Rochelle Ettawageshik, Carrie Horn, Sunrise Granados, Lila Bertrom, Raymond Martell

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Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to adopt the agenda for November 21, 2010 with additions.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Chingwa, Treasurer Bott)

Motion carried.

Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell to approve the minutes of November 7, 2010 with corrections.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Chingwa, Treasurer Bott)

Motion carried.

1  
2 Motion made by Councilor R. Shananaquet and supported by Councilor Kiogima  
3 to approve the minutes of November 10, 2010 with corrections.

4 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Chingwa, Treasurer  
5 Bott)

6 Motion carried.  
7

8 Motion made by Secretary Gasco Bentley and supported by Councilor Otto to  
9 ratify into the Record the Phone Poll Dated November 10, 2010 “Motion to  
10 approve the Confidential Supplemental of Disclosure Statement as submitted by  
11 Legislative Services Attorney Budnick on November 10, 2010, and to authorize  
12 its use in the bond restructuring to meet an immediate deadline.” The Phone Poll  
13 passed 8-yes, 0-no, 0-Abstained, 1-Absent

14 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Chingwa, Treasurer  
15 Bott)

16 Motion carried.  
17

18 Motion made by Councilor Mulholland and supported by Councilor Bardwell to  
19 Ratify into the Record the Phone Poll Dated November 12, 2010 “Motion to  
20 Approve the Attached Letter Addressed to the State of Michigan Clarifying the  
21 Tribe’s Position on the 6% Payment to the State, to meet an Immediate  
22 Deadline.” The Phone Poll passed 6-yes, 3-No, 0-Abstained, 0-Absent

23 Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Chingwa, Treasurer  
24 Bott)

25 Motion carried.  
26

27 9:24 a.m. Tribal Elder Comments: Bill Denemy Sr., spoke regarding the vacancy  
28 for Chief Judge in support of the Executive nomination for Chief Judge.  
29

30 9:48 a.m. Councilor Chingwa arrived.  
31

32 10:13 a.m. Recess called.

33 10:22 a.m. Meeting reconvened.  
34

35 10:26 a.m. Motion made by Councilor Bardwell and supported by Councilor  
36 Kiogima to go into closed session for legal.

37 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

38 Motion carried.  
39

40 11:30 a.m. Motion made by Councilor Mulholland and supported by Councilor R.  
41 Shananaquet to return to open session.

42 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

43 Motion carried.  
44

45 11:31 a.m. Recess called.

46 11:36 a.m. Meeting reconvened.  
47

1 The Appropriations and Finance Committee acknowledges receipts of the 2012  
2 Election Board Budget.

3  
4 11:45 a.m. Public Comment opened: Carla Steingold Rick Nordberg, Joe Lucier,  
5 Starlene Berrans, Jeanie Norris, Melissa Massey, Andrew Stich and Jane Martel  
6 spoke in support of the Executive nomination of Bernadece Kiogima for Chief  
7 Judge. Bea Law spoke regarding the Tribal Chairman's Odawa Trails article and  
8 an email sent by the Tribal Chairman.

9 12:00 p.m. Public Comment closed.

10  
11 12:01 p.m. Lunch recess called.

12 1:28 p.m. Meeting reconvened.

13 1:35 p.m. Councilor Otto arrived.

14  
15 2:17 p.m. Recess called.

16 2:29 p.m. Meeting reconvened.

17  
18 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell  
19 to accept Land and Reservation Committee Chairperson Kiogima's verbal report  
20 for November 21, 2010.

21 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

22 Motion carried.

23  
24 3:00 p.m. Public Comment opened: Michele LaCount spoke supporting the need  
25 for on site hotel security and support for removal of the provision for casino  
26 employees to wear employment badges while on site, during off-work hours. Joe  
27 Lucier shared with Tribal Council the Tribal Court's increased services offered  
28 and future presentation to Tribal Council.

29 3:08 p.m. Public Comment closed.

30  
31 Motion made by Councilor Kiogima and supported by Councilor Mulholland to  
32 accept the verbal report from Legal and Legislative Committee Chairperson  
33 Chingwa for November 21, 2010.

34 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

35 Motion carried.

36  
37 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell  
38 to accept Councilor R. Shananaquet's verbal Tribal Council member report  
39 regarding Constitutional interpretation for November, 21, 2010.

40 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

41 Motion carried.

42  
43 Motion made by Councilor Bardwell and supported by Councilor Kiogima to  
44 accept Legislative Services Attorney Budnick's verbal for November 21, 2010.

45 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

46 Motion carried.

1 Motion made by Secretary Gasco Bentley and supported by Councilor Bardwell  
2 to accept Tribal Chairman Harrington's verbal and written report with confidential  
3 items contained therein.

4 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

5 Motion carried.

6  
7 Motion made by Secretary Gasco Bentley and supported by Legislative Leader J.  
8 Shananaquet to approve Enrollment List A – Eligible for Citizenship dated  
9 November 15, 2010 for a total of 15.

10 Vote: 7 - Yes, 1 – No (Councilor Chingwa), 0 - Abstained, 1 – Absent (Treasurer  
11 Bott)

12 Motion carried.

13  
14 Motion made by Secretary Gasco Bentley and supported by Legislative Leader J.  
15 Shananaquet to Enrollment List B – In-Eligible for Citizenship dated November  
16 15, 2010 for a total of 4.

17 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

18 Motion carried.

19  
20 Motion made by Legislative Leader J. Shananaquet and supported by Secretary  
21 Gasco Bentley to table the BIA (Bureau of Indian Affairs) Wildland Fire  
22 Management Cooperative Agreement.

23 Vote: 7- Yes, 0 – No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor R.  
24 Shananaquet)

25 Motion carried.

26  
27 Motion made by Secretary Gasco Bentley and supported by Councilor  
28 Mulholland to approve the issuance of a liquor license for sale of alcoholic  
29 beverages for consumption on the premises at Odawa Casino Resort, which is  
30 located on land held in trust for the Tribe by the United States at 1760 Lears  
31 Road, Petoskey, MI 49770, and an “off-premises” license for wine sales at the  
32 Gourmet 2 Go gift shop at the same address, until the date of approval of WOS  
33 2009-019 Liquor and Tobacco Licensing Board Statute by the Bureau of Indian  
34 Affairs and authorizes the Tribal Chairman to sign the license.

35 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

36 Motion carried.

37  
38 Motion made by Councilor R. Shananaquet and supported by Councilor Chingwa  
39 to approve the issuance of a liquor license for sale of alcoholic beverages solely  
40 for consumption on the premises at the Odawa Hotel, which is located on land  
41 held in trust for the Tribe by the United States at 1444 US 131 S, Petoskey, MI  
42 49770, until the date of approval of WOS 2009-019 Liquor and Tobacco  
43 Licensing Board Statute by the Bureau of Indian Affairs and authorizes the Tribal  
44 Chairman to sign the license.

45 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

46 Motion carried.

1 Motion made by Councilor R. Shananaquet and supported by Councilor Bardwell  
2 to approve a liquor license for Biindigen for "off-premises" license to sell alcohol  
3 at 2169 US 31 North, Petoskey, MI 49770 until the date of approval of WOS  
4 2009-019 Liquor and Tobacco Licensing Board Statute by the Bureau of Indian  
5 Affairs and authorizes the Tribal Chairman to sign the license.

6 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

7 Motion carried.

9 Motion made by Councilor R. Shananaquet and supported by Councilor  
10 Mulholland to adopt Tribal Resolution Authorization of Action in November 21,  
11 2010 Confidential Memo.

12 Roll call vote: Councilor Bardwell-yes, Councilor Chingwa-yes, Councilor  
13 Kiogima-yes, Councilor Mulholland-yes, Councilor R. Shananaquet-yes,  
14 Councilor Otto-yes, Treasurer Bott-absent, Secretary Gasco Bentley-yes,  
15 Legislative Leader Julie Shananaquet-yes

16 Motion carried.

18 Motion made by Councilor Mulholland and supported by Councilor R.  
19 Shananaquet to rescind the October 24, 2010 motion made by Legislative  
20 Leader J. Shananaquet and supported by Councilor Mulholland to table the  
21 nomination for Chief Judge until Tribal Council receives all petitions and  
22 applications for the position.

23 Vote: 3 - Yes, 4 – No (Councilor Bardwell, Councilor Chingwa, Legislative Leader  
24 Julie Shananaquet, Secretary Gasco Bentley), 1 – Abstained (Councilor  
25 Kiogima), 1 – Absent (Treasurer Bott)

26 Motion failed.

28 Motion made by Councilor R. Shananaquet to not accept the Executive  
29 nomination for Chief Judge and the executive to bring fourth other nominations.  
30 Motion dies due to lack of support.

32 Motion made by Legislative Leader J. Shananaquet supported by Secretary  
33 Gasco Bentley to post the Governmental Accounting Office draft Statute to the  
34 Legislative Calendar.

35 Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Treasurer Bott)

36 Motion carried.

38 4:42 p.m. Motion made by Legislative Leader J. Shananaquet and supported by  
39 Councilor Bardwell to go into closed session for confidential business matters  
40 casino.

41 Vote: 7 - Yes, 0 – No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor Otto)

42 Motion carried.

44 4:50 p.m. Motion made by Legislative Leader J. Shananaquet and supported by  
45 Councilor Otto to return to open session.

46 Vote: 7- Yes, 0 – No, 0 - Abstained, 2 – Absent (Treasurer Bott, Councilor R.  
47 Shananaquet)

48 Motion carried.



1  
2 Motion made by Legislative Leader Julie Shananaquet and supported by  
3 Councilor Bardwell to designate the Tribal Chair and Tribal Treasurer as the  
4 designated Officers that shall have the authority to extend the Tender Offer and  
5 closing for up to one additional week in the event that less than \$116 million of  
6 Notes are tendered to the Exchange Officer and that any other conditions to the  
7 consummation of the Tender Offer have not occurred prior to such dates.  
8 Vote: 6- Yes, 1 – No (Councilor Mulholland), 0 - Abstained, 2 – Absent  
9 (Treasurer Bott, Councilor R. Shananaquet)  
10 Motion carried.

11  
12 5:00 p.m. Motion made by Legislative Leader J. Shananaquet and supported by  
13 Councilor Bardwell to adjourn.  
14 Vote: 7 - Yes, 1 – No (Councilor Otto), 0 - Abstained, 2 – Absent (Treasurer Bott,  
15 Councilor R. Shananaquet)  
16 Motion carried.

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24  
25 These Minutes have been read and approved as written (or) corrected: (delete  
26 either the word "written" or "corrected" as pertains to how the minutes were  
27 approved.)  
28  
29  
30

31 \_\_\_\_\_  
Regina Gasco Bentley, Tribal Council Secretary

\_\_\_\_\_  
Date